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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,839	06/16/2000	Daniel Schreiber	5015	1524

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FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

EXAMINER

JACKSON, JENISE E

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,839

Applicant(s)

SCHREIBER ET AL.

Examiner

Jenise E Jackson

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-18 and 27-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 12-18 and 27-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 12 and 27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen in view of Andersen.
3. As per claims 12 and 27, Nguyen discloses providing a software application(i.e. applet) with an associated security authentication requirement to a client via a network(see col. 3, lines 31-39), although Nguyen discloses a unique identifier that is associated with an applet, Nguyen also discloses that a password may be associated with an applet, or other security authentication requirements(see abstract lines 15-16 and col. 3, lines 49-52), receiving a request from the software application(i.e. applet)via the network, because the web client(110) issues web commands(111) and those commands are sent to the web server(see col. 2, lines 46-47), the request includes an associated password(see col. 3, lines 49-52), because the client request a web document(121) that includes the information which the web server(120) transmits to the web client(110) for presentation to the user, and this information includes an applet(see col. 2, lines 61-65), authenticating a password or unique identifier(see col. 3, lines 36-39, 49-52), providing the information to the software application(i.e. applet) via the network (see col. 3, lines 31-36), while the associated password is valid is inherent, because Nguyen discloses that no other further information is provided unless one of a set of conditions is met; one of these conditions is a

Art Unit: 2131

program applet can be limited to presenting the further information only if the user presents a selected authenticator, such as a password(see col. 3, lines 49-52), thus if the password is not valid the information will not be provided. Also, Nguyen inherently discloses an invalidation event, because Nguyen discloses, "only if the user presents a selected authenticator that is associated with a applet; therefore, if the user does not present an associated password, the password is invalidated(see col. 3, lines 49-52).

4. Nguyen does not disclose a software application via a network requesting for information stored at a restricted access storage area of a server.

5. However, Andersen discloses a software application(i.e. applet) that request information stored in a storage area of a server(see col. 1, lines 60-62, col. 4, lines 25-35).

6. After Nguyen downloads the applet on the client machine, if the client wants access to information, the applet contacts the server for permission, the applet must be authorized by a password that is checked against the server, to display the further information. Instead of letting the applet access the server, the applet would make its request to the server and the appropriate URL would be downloaded to it. Thus, copy protection would still exist as the client would get desired information from the applet. Therefore, it would have been obvious to a person of ordinary skill in the art to modify the invention as disclosed by Nguyen to replace the feature of Nguyen that request to display the information of the applet with the feature of Andersen, that discloses a software application requesting information stored on a server, because Andersen recognizes the problem that giving JAVA applets free access on the network(i.e. software application) can give rise to a number of serious administrative and security problems(see col. 1, lines 45-47). Further, Andersen discloses that if the applet was able to have free access to the

Art Unit: 2131

full range of operating system calls accessed by application programs, then a web browser user could inadvertently download from the Internet a capricious program that disrupts the state of the client computer, including changing the client computer's configuration settings (etc..)(see col. 1, lines 47-52) Thus, it would have been obvious to modify Nguyen with the feature of Andersen, because Nguyen discloses an applet with access control, that has an associated password that must be validated by the server, and thus if the feature of Andersen that request information stored on the server, is modified with Nguyen, than the server is protected and only restricted to authorized software applications. Thus, the motivation to modify Nguyen with the feature of Andersen is that the applet is closely guarded and monitored, and its access to the server resources is severely restricted.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 13-18, 28-33 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen and Andersen in further view of Ananda as per claim 12 above.

9. As per claims 13, Nguyen and Andersen are silent on invalidating a password after a predetermined time, and after a predetermined elapse in time from when the request was received. However, Ananda discloses invalidating a password after a predetermined time, and after a predetermined elapse in time from when a request was received(see col. 5, lines 5-8 and lines 22-25).

Art Unit: 2131

10. All three deal with providing a software application to a client. It would have been obvious to modify Nguyen and Andersen to include the feature of Ananda to include invalidating a password after a predetermined time, and after a predetermined elapse in time. The motivation to do so is that it prevents a user from copying the application software to a storage device(see col. 5, lines 18-23).

11. As per claims 15 and 30, the Examiner takes Official Notice that it is well-known in the art of networking to invalidate a password upon detection of a loss of communication with the client, the motivation is that the password can be intercepted and used by another client on the network, if the password is not invalidated.

12. As per claims 16 and 31, Nguyen discloses providing the software application in the form of an applet(124)(see fig. 1).

13. As per claims 17 and 32, Nguyen discloses providing the password assembled with the software application(i.e. applet)(see col. 3, lines 49-52).

14. As per claims 18 and 33, Nguyen discloses generating the password at a server upon receiving the request at the server, although Nguyen discloses generating a unique id(see col. 3, lines 25-30), Nguyen also discloses that other authentication methods can be used, such as a password(see abstract, lines 14-17, and col. 3, lines 49-52).

Response To Amendment

15. The applicant states that the present invention protects information residing on the server, the applicant states, in contrast to Nguyen that protects information is generated by the applet. The Examiner agrees with the applicant in regards to the limitation of a request for information stored at the server, Nguyen does not provide this limitation. However, in the previous office

Art Unit: 2131

action the Examiner asserted that Andersen provides the limitation of a request for information stored at the server.

16. The applicant stated that Anderson fails to correct the deficiencies of Nguyen. Further, the applicant states that Andersen administrative and security problems referred to by Andersen at col. 1, lines 45-47 refer to damage the applet can do to the client computer, similar to damage caused by computer viruses. Andersen discloses that one security problem that could result is downloading capricious programs. Furthermore, Andersen recognizes the problem with applets accessing information. Andersen discloses that *if the applet was able to have free access to the full range of operating system calls accessed by application programs, then a web browser user could inadvertently download from the Internet a capricious program that disrupts the state of the client computer, including changing the client's computer's files. Further, Andersen discloses for these reasons, the executing applet is closely guarded and monitored by the web browser, and its access to client and server resources is severely restricted (see pg. 3-4 of previous rejection).*

17. The applicant states that a feature of Andersen is that it specifically overcomes security issues by avoiding them. Andersen was relied on for the features of the server storing information. Nguyen is relied upon for security issues, in which the applet having the associated password that presents this information to the server in which to display further information. Nguyen discloses downloading the applet on the client machine, if the client wants access to information, the applet contacts the server for permission, the applet must be authorized by a password that is checked against the server, to display the information(see pg. 3 of previous office action). Further, Nguyen does not disclose storing information of the server. However,

Art Unit: 2131

Andersen does. Therefore, since Andersen recognizes the problem with applets accessing information, Nguyen with Andersen provides the motivation in order to store information of the server(see pg. 3-4 of previous rejection).

18. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Cited Not But Applied

- 19. US(5,974,411)
- 20. US(6,260,480)
- 21. US(5,509,070)
- 22. Stirland Sarah, ActiveX vs. Java

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.


Art Unit: 2131

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gail Hayes can be reached on (703) 305-9711. The fax phone numbers for the organization where this application or proceeding is assigned are Official Communications (703) 746-7239, Non-Official (703) 746-7240, and After Final communications (703) 305-7238.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



October 29, 2002



GAIL HAYES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100